

2014-UNAT-494, Sutherland et al

UNAT Held or UNDT Pronouncements

UNAT considered motions seeking execution of four judgments (judgment No. 2013-UNAT-357, judgment No. 2013-UNAT-359, judgment No. 2013-UNAT-358, and judgment No. 2013-UNAT-360). UNAT denied these motions, noting that execution did occur in each of the cases. UNAT also noted that payment of the moral damages had been effected and a new conversion process had been completed, thus, none of the applications merited an order for execution pursuant to Article 11(4) of the UNAT Statute and Article 27 of the UNAT RoP. With respect to Ademagic et al. and Mr Longone's motion to hold decision letters in abeyance and without legal effect, UNAT held that the application to hold in abeyance was moot as it had ruled on their motion and the time limit for management evaluation had passed. UNAT denied all motions.

Decision Contested or Judgment/Order Appealed

Prior UNAT decision: On 17 October 2013, UNAT rendered judgments in Malmström et al. (judgment No. 2013-UNAT-357), Longone (judgment No. 2013-UNAT-358), Ademagic et al. (judgment No. 2013-UNAT-359), and McMillwraith (judgment No. 2013-UNAT-360). UNAT remanded the matters to the decision-maker, the Assistant Secretary-General for Human Resources Management. UNAT also awarded compensation and granted a Motion filed by the Secretary-General requesting an extension of the time limit in which to complete the new conversion process.

Legal Principle(s)

Where a judgment requires execution within a certain period and such execution has not been carried out, either party may apply to UNAT for an order for execution of the judgment.

Outcome

Appeal dismissed on receivability

Full judgment

[Full judgment](#)

Applicants/Appellants

Sutherland et al

Entity

ICTY

Case Number(s)

2014-625

2014-627

2014-630

Tribunal

UNAT

Registry

New York

Date of Judgement

17 Oct 2014

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Judgment-related matters

Execution of Judgment

Applicable Law

UNAT RoP

- Article 27

UNAT Statute

- Article 11.4

Related Judgments and Orders

2013-UNAT-357

2013-UNAT-358

2013-UNAT-359

2013-UNAT-360